

REMARKS/ARGUMENTS

Applicant has carefully reviewed and considered the Office Action mailed on February 18, 2005, and the references cited therewith.

Claims 1, 7-9, and 13-15 are amended, no claims are canceled, and no claims are added; as a result, claims 1-24 are now pending in this application.

Applicant respectfully submits that claims 1, 7-9, and 13-15 do not introduce any new subject matter and are intended to cover additional claimable subject matter fully supported by the originally filed specification.

§112 Rejection of the Claims

Claims 1-14 were rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 1-14 were indicated by the Examiner to be allowable if rewritten to overcome the rejection(s) under 35 USC §112, second paragraph, set forth in the Office Action and to include all of the limitations of the claim and any intervening claims. The Applicant has complied with all of the Examiner's recommendations.

§102 Rejection of the Claims

Claim 15 was rejected under 35 USC §102(b) as being clearly anticipated by Hirst (U.S. Patent No. 6,018,151).

From the Applicant's review of Hirst, Applicant respectfully submits that the reference does not describe "gradual increases and decreases" in signal output, which could only be accomplished by an "averaging circuit" as disclosed and claimed in Applicant's independent claim 15. Hirst appears to describe an "adaptive system" which integrally changes the amount of power supplied to a fusing system. A switch 402 is used to change and a paper path timing signal to either plus one (+1) or minus one (-1) and then a multiplier multiplies a paper temperature deviation by the +1 or -1. (Col. 6, lines 41-58 and Col. 7, lines 25-40). Thus, the power supplied is adjusted in one pass.

In contrast, Applicant's claimed invention describes an averaging circuit which results in a smooth AC current envelope. Flicker is attenuated by the smoothed/gradual build-up and decrease of the power supply as maintained by

the averaging circuit. (Specification pages 9-11). As such, Applicant respectfully submits that the methodology described in Hirst does not equate to the averaging circuit which gradually increases and decreases a signal to control delivery of power to the fuser, as recited in claim 15.

Since each and every element of Applicant's claim 15 is not described in the Hirst reference, Applicant respectfully requests reconsideration and withdrawal of the 102 rejection of claim 15, as well as for those claims which depend therefrom.

Allowable Subject Matter

Applicant notes with appreciation the allowance of claims 21-24.

Claims 16-20 were objected to as being dependent upon a rejected base claims, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the remarks above, Applicant believes independent claim 15, from which claims 16-20 depend, to be in condition for allowance. Allowance of claims 16-20 is respectfully requested.

Claims 1-14 were indicated to be allowable if rewritten to overcome the rejection(s) under 35 USC §112, second paragraph, set forth in the Office Action and to include all of the limitations of the claim and any intervening claims. Applicant has complied with all of the Examiner's recommendations and believes the claims 1-14 to be in condition for allowance.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney, Gregg W. Wisdom, at (360) 212-8052 to facilitate prosecution of this matter.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

CERTIFICATE UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AMENDMENT Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 12th day of April, 2005.

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Respectfully Submitted,
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